IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 14482 of 2004

Between:

L. Vijayasri, W/o. Sathyanarayana Chary, Hindu,
Kondagadapa (V) Kotkur (M), Nalgonda District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Bhongir, Nalgonda District.
2 The Mandal Revenue Officer, Motkur Mandal, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction in the nature of MANDAMUS declaring the action of the respondents in not implementing their own orders of the 1st respondent issued in Proceedings No.F/2503/03 dt. 22-7-2004 and allot the petitioner essential commodities so as enable to the petitioner to distribute to the card holders in Kondagadapa Village, Kotkur Mandal, Nalgonda District as illegal, arbitrary and consequent direct the respondents to implement the orders of the 1st respondent issued in Proceedings No.F/2503/2003 dt. 22-7-2004 and allot essential commodities to the petitioner to distribute the same to card holders in Kondagadapa Village, Motkur Mandal, Nalgonda District

Counsel for the Petitioner:MR.M.SUBBA REDDY

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

-

-

-

-

-

-

ORDER:

The petitioner is an authorized dealer of the fair price shop of Kondagadapa Village, Motkur Mandal, Nalgonda District. It appears that an enquiry has been initiated by the Revenue Divisional Officer, Bhongir, Nalgonda District alleging certain irregularities in distribution of essential commodities. The petitioner was called upon to submit her explanation. Accordingly, she submitted her explanation on 21-2-2004. Having considered the same, the Revenue Divisional Officer, Bhongir passed orders on 22-7-2004 stating that in view of the report of the Mandal Revenue Officer, Motkur Mandal, Nalgonda District and the explanation submitted by the petitioner, the petitioner has been let off from the charges with a fine of Rs.1,000/- with a warning to be careful in future. There was also a direction to the Mandal Revenue Officer, Motkur Mandal, Nalgonda District to allot essential commodities and issue release order in her favour and keep a watch in prompt lifting of essential commodities in time.

The only grievance of the petitioner is that in spite of the fact that she has already paid fine amount of Rs.1,000/- in compliance with the order passed by the Revenue Divisional Officer, Bhongir dated 22-7-2004, the Mandal Revenue officer, Motkur failed to implement the orders of the Revenue Divisional Officer, Bhongir and the essential commodities have not been released so far.

The learned Government Pleader, who took notice for the respondents, under instructions, states that the order of the Revenue Divisional Officer, Bhongir has become final. In the circumstances, I am of the view that the Mandal Revenue Officer, Motkur is bound to implement the orders of the Revenue Divisional Officer, Bhongir dated.22-7-2004.

Accordingly, the writ petition is disposed of with a direction to the Mandal

Revenue Officer, Motkur to implement the order passed by the Revenue Divisional Officer, Bhongir dated.22-7-2004 and to release the essential commodities to the petitioner in terms of the said order within one week from the date of receipt of a copy of this order. No order as to costs.

_____

19-08-2004

Note: Issue C.C. in three days.

B/O

Sh/klp

To

1 The Revenue Divisional Officer, Bhongir, Nalgonda District.
2 The Mandal Revenue Officer, Motkur Mandal, Nalgonda District.

3.2CCs to G.P. for Civil supplies, High Court Buildings, High Court of A.P.,Hyderabad.(out)

4. 2CD copies

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 14482 of 2004

Dated: 19-08-2004